

J.P. Victim Impact Statement

I would like to start off by saying that I was taken into the custody of the Federal Bureau of Prison on July 29, 2020 and sentenced to a term of 33 months. At that time, I was housed at the Metropolitan Detention Center Los Angeles (MDCLA). In the month of October, there was a major COVID outbreak and the whole facility was quarantined and every inmate was put on lockdown. It was a very scary time for us all. COVID was something new and something we knew nothing about. The only thing we knew at that time was that it was spreading like wildfire, it was highly contagious, and there were hundreds of thousands of people all over the world dying of it every day. I lost a couple of people that were dear to me around this period to COVID as well, which made it even more real and scarier to me. So, you can imagine at this point that I am already going through trauma, mental anguish, anxiety, stress, fear, and uncertainty.

The facility had a designated isolation section on every floor for inmates who tested positive for COVID. On December 19, 2020, I was notified that I had tested positive for COVID and was sent to isolation. By this time most of the inmates in that unit had already caught the virus and recovered, except for a few that remained testing negative. With that being said, I was the only inmate in the isolation range/area, with nothing but empty cells all around me. The first cell I was put in had a leaking toilet so I asked Vierra if he would please move me to the cell next to it. When I asked him that, he came into my cell and asked me what I would be willing to do for the cell move, then he put his hand inside my shirt and grabbed my breasts, then moved his hands inside my shorts and touched my vagina. I froze, was speechless, and didn't know what to do. After touching me he told me to pack my things and move to the cell next door. The very next morning on December 20, 2020, correctional officer Vierra opened my cell door, came into my cell, sexually assaulted and sodomized me. I was sleeping on my bunk, with a high fever, a bad headache, my whole-body aching, my throat hurting so bad it hurt to swallow, and feeling like I was struggling to breathe because I felt so short of breath. Vierra opened my cell door, came into my cell, walked up to my bunk, and told me to turn around and scoot over. At first, I was confused and disoriented. I wasn't sure if he was serious or not. I looked at him and said, "Vierra, it's too early in the morning to be playing like this and I am not feeling well at all. Please get out." He gave me

a very serious look and told me that he was not playing around and repeated more firmly, telling me to turn around and scoot over. Although he had fondled me the previous day, I never imagined he would do something so horrible and disgusting. I told myself that I was overreacting because surely Vierra would not attempt something like he had the previous day and risk getting caught or losing his job. I was scared and confused, I thought that maybe he was going to search my cell and maybe he just wants me to up against the wall facing away from him while he did his search. So, I complied. I scooted over and turned around to face the wall. Seconds later, he got into my bunk with me. Instantly, I was scared, shocked, frozen, and paralyzed by fear. He then started fondling me over my clothes, then he started to tug my underwear and shorts down and unzip his pants. I felt him bring/rub his penis in the opening of my anus. I said, "No, not right there". And I somehow managed to bring his penis to my vagina and away from my anus. At that point, I had already realized what was going on and I just wanted him to hurry up, get it over with, and get out of my cell. I did not want him penetrating me at all. I did not want him touching me or on my bunk with me. But I knew that he was a correctional officer, an authority figure, and I was just an inmate, a nobody, just another number. I knew better than to try to fight him, push him away, or cause any kind of commotion. I just wanted him to hurry up, do whatever he was going to do, get out, and leave me alone. I moved his penis away from my anus to my vagina, then he pinned me between his body and the wall, pulled his penis out of my vagina, and rammed it in my anus, sodomizing me. I was so scared and in so much pain that it took everything inside of me to not scream out. I was too terrified of what he might do to me if I did. I had seen inmates charged and convicted with new assault charges on an officer, for just touching them. I have also seen male officers body slam, manhandle, and even knock out female inmates' teeth, in similar situations, then turn around and say that the female inmate attacked them. And because they were officers and the females were inmates, our words meant absolutely nothing, while theirs meant everything. It was always their word against ours and they always won. Period, point, blank. No one ever questions anything when it comes to them. I was not going to risk him physically attacking me, falsely accusing me (of something I did not do), and risk being charged with a new criminal conviction, and getting more time than I already had for something that I did not do. Because that is exactly what would have happened if I would have fought back, pushed him away, said no, or resisted him somehow/somehow. So, I quietly took the torture, then had to pretend that I was okay with it after. Can you imagine what it is like to be violated in such a manner and not be able to voice or

express how you feel? Not be able to speak out or ask for help? As if that was not bad enough, to go to the extent to have to pretend that everything is okay and what that person just did to you is not a problem? As if that was not bad enough, this predator took advantage of another opportunity the following day, again, on December 21, 2020, as well. He came into my cell again. This time I was sitting on a stool trying to read a book, and he pulled out his penis, stuck it in my face, and said to me "Suck it" and I did. All the while I am doing it, once again, I am terrified, angry, and humiliated with myself for being so scared, weak, and feeling like a coward. Once again, after it happens, I am beating myself up over it. Later that day, my previous cellmate was placed in my cell for a positive COVID test. That was the only thing that kept Vierra from coming back into my cell and assaulting me again.

I cannot even begin to explain the physical pain I felt. My anus was burning and on fire. It hurt so bad, and the best way I could explain the pain is that it felt like something tore me and burned me at the same time. I had never had anal sex prior to that situation. Vierra violated and humiliated me in the worst way possible. After Vierra ejaculated inside of me, he got off my bunk, grabbed a towel I had hanging nearby, and started to clean off his pants because he had gotten semen on them. When he was distracted doing that, I noticed semen on my sheets. The only thing I could think of at this point was #1 in how much pain I was in and #2 I wanted him out of my cell already. I walked out of my cell towards the cell I was in previously (the one he moved me to when he had fondled me the day before) and asked him to unlock the cell door, explaining that I had forgotten something in there that I wanted to grab it. I knew that if I walked out of my cell, I would be in the camera's view and I thought that if someone saw me outside of my cell on a non-shower day, that they would come to the unit and inquire as to why I was out of my assigned cell. But no one ever did. Vierra unlocked my previous cell door, I went inside and grabbed a towel I had left behind, walked back into my assigned cell, and Vierra locked me back in.

After Vierra had locked me in my cell and walked away, I covered my window and took off my clothing so that I could birdbath because I felt so dirty and disgusting. As I removed my underwear, I saw blood on them. This man literally ripped my anus open. Just imagine getting ripped like that. I was very sore and tender. I was bleeding from my anus. I had trouble sitting, walking, moving, sleeping, and using the restroom for about a week.

I know that Vierra had seen the semen on my sheets because he brought me clean sheets the very next morning, asking me for the soiled sheets. I lied to him and told him that I had hand washed them already. The truth was that I had cut off the portion that had semen on it and hid it within my things. That was the only way that I would be able to report my assault, prove I am not lying, and have something done about it. Had I not had that evidence, I wouldn't have wasted my time reporting anything because I would have known it would be his word against mine, and Vierra was a sworn-in correction officer at the time, and I was just a criminally convicted felon. They would have taken his word over mine, for sure.

Believe it or not, that physical pain I just described, was the least damage he caused me. That's because physical wounds, pain, and trauma heal and eventually you won't feel anything anymore. You may see a scar, but you don't feel the pain. Unfortunately, I cannot say the same for the emotional, mental, spiritual, and social wounds he has caused me. Those do not heal, go away, and are forgotten like the physical ones. Those wounds and trauma are still with me everywhere I go and in everything I do. I experience disturbing flashbacks while awake and disturbing nightmares while I am asleep. It's like, no matter what, I cannot get a break or run away from them. Since then, I do not feel safe anymore. I will honestly admit for the first time ever, I have even had thoughts of committing suicide because I felt like that would be the only way that I would be able to have peace. He stole my sense of security and peace of mind. I am a lot jumpier, hypervigilant, irritable, angry, and hyper-alert. I have disrupted sleep, nightmares, rumination, increased need for control, a sense of shame, betrayal, and fear. Those feelings intensify when I am around men, and/or law enforcement/males and authority figures. There have been many times when I am either loading or unloading my car with something when suddenly, I am fear-ridden and jumpy, having a panic attack, and feel as if someone is reaching for me from behind. I turn around in a panic and there is no one there. I have isolated myself and withdrawn from my family and friends. I am so distrustful, suspicious, and scared all the time because of this. I catch myself looking for escape routes, something I can use as a weapon just to feel safe in case something happens to me again. I have beat myself up over and over for not fighting back and defending myself. No matter how much I try to ignore the struggle I have inside, act normal, and pretend like everything is fine, on the inside I am in turmoil. I also feel as though I cannot be my authentic self because I'm too emotional if I'm being genuine, so I must put on a different 'happy' personality, and it can be really hard to ignore emotions that are screaming

for attention inside of you. But the truth was that I was broken. I find it crazy and confusing that I know that my feelings are illogical, and I try to convince myself that it is all in my head, but no matter how much I try, I still feel those feelings and they do not go away. It just makes me feel worse because deep inside I want to be honest about how I feel but I can't because I'm too busy putting on a front for everyone else to see. During therapy, I realized that I hold everything in, and always try to pretend like everything is fine, and because of that, I would experience feelings of dissociation and depersonalization.

Jose Vierra calculated and planned his attack. I was the only female inmate in that whole range and he took advantage of the opportunity, his authority, and me by violating me in the worse way possible, and for that, he is a predator. After committing that horrendous crime of sexually assaulting and sodomizing me he causally passed out breakfast, normally, as if nothing had happened. He was laughing, joking, and talking with other inmates and fellow officers that had come to help him distribute the breakfast. He carried himself like he had no care in the world. He behaved as if it was normal and regular for him to sexually assault and sodomize someone every day. He was not affected or bothered by what he had done, one way or another,

The BOP's core values state:

Courage

We forge new paths, challenging the status quo, and make difficult decisions to rise above adversity.

Respect

We embrace diversity and recognize the value and dignity of staff, inmates, and the general public.

Integrity

We demonstrate uncompromising ethical conduct in all our actions.

Correctional Excellence

We are correctional workers first, committed to the highest level of performance. Prison security is crucial to maintaining staff **and inmate safety** in a correctional setting.

Vierra's core values state:

Courage

What Officer Vierra did was a cowardly thing, the opposite of courageous.

Respect

I find it disrespectful, demeaning, and monstrous to sexually assault and sodomize a defenseless person in your care, who is physically weak and sick with the COVID virus. There is nothing respectful about that. And there is no way that you would do that to someone whose dignity you valued.

Integrity

A person of integrity will consistently demonstrate good character by being free of corruption and hypocrisy. Integrity is revealed when people act virtuously regardless of circumstances or consequences. There is no integrity in Vierra's actions toward me.

Correctional Excellence

Sexually assaulting and sodomizing is not maintaining my or the prison's safety. On the other hand, it was harmful to my safety and well-being.

I would like to ask the court to please give Jose Vierra the maximum time possible. Please do not victimize me by being lenient towards this predator, as he was not lenient towards me.